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Attorneys for Defendant Providence Washington Insurance Company, as successor in interest by way of merger to Seaton Insurance Company, f/k/a Unigard Security Insurance Company, f/k/a Unigard Mutual Insurance Company (*improperly impleaded as Seaton Insurance Company Individually and as Successor to Unigard Insurance Company*)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RHODA PEACE, Executrix of the Estate of
HUBERT A. PEACE, Deceased,

Plaintiff,

v.

ONE BEACON AMERICA INSURANCE
COMPANY, et al.,

Defendants.

CIVIL ACTION NO. 15-cv-177

EVA L. POWERS, Executrix of the Estate of
ARTHUR E. NEILSON, Deceased,

Plaintiff,

v.

ONE BEACON AMERICA INSURANCE
COMPANY, et al.,

Defendants.

CIVIL ACTION NO. 14-cv-1093

**DEFENDANT SEATON INSURANCE COMPANY'S RESPONSE IN OPPOSITION TO
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Defendant Providence Washington Insurance Company, as successor in interest by way of merger to Seaton Insurance Company, f/k/a Unigard Security Insurance Company, f/k/a Unigard Mutual Insurance Company (*improperly impleaded as Seaton Insurance Company Individually and as Successor to Unigard Insurance Company*) ("Seaton") respectfully submits this Response in Opposition to the Motions for Summary Judgment of plaintiff Rhoda Peace, Executrix of the Estate of Hubert A. Peace, Deceased and plaintiff Eva L. Powers, Executrix of the Estate of Arthur E. Neilson, Deceased ("Plaintiffs"). In the interest of judicial economy, Seaton incorporates by reference its Motion for Summary Judgment, its Memorandum of Law in Support of its Motion for Summary Judgment, its Combined Reply in Support of its Motion for Summary Judgment and Response in Opposition to Plaintiff's Motion for Summary Judgment, its Statement of Undisputed Material Facts, its Statement of Additional Material Facts, and all associated filings in the *Mineweaser* matter, Case No. 14-cv-585 ("*Mineweaser*"). (*Mineweaser* Doc. Nos. 93-97, 129-132). For the reasons set forth in detail therein, Plaintiffs' Motions for Summary Judgment in the instant cases should be denied.

WHEREFORE, Seaton respectfully requests that Plaintiffs' Motions for Summary judgment be denied, and that Seaton be granted such other and further relief as this Court deems just and proper.

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Washington Insurance Company, as
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Date: February 9, 2016